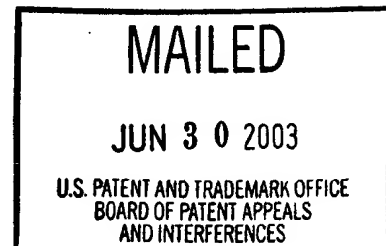


UNITED STATES PATENT AND TRADEMARK OFFICE

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Ex parte JOHN A. RUSHING

Application No. 09/433,761



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on May 14, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

Claims 1, 5, 7 and 8 as filed in the Appendix do not correspond with the claims as filed in the application. Claim 10 as filed in the Appendix does not correspond with the claim 10 as amended in amendment A. These claims need to be corrected.

Application No. 09/433,761

Accordingly, it is

ORDERED that the application is returned to the Examiner for correction of the claims and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: _____



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